

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12506, of Catherine A. Woods and Carolyn M. Brown, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the prohibition against locating an open parking space less than ten (10) feet from a dwelling (Sub-section 7205.2) in the R-2 District at the premises 4904 Fitch Place, N.E., (Square 5182, Lot 92).

HEARING DATE: October 19, 1977
DECISION DATE: October 19, 1977

FINDINGS OF FACT:

1. The subject property is located at 4904 Fitch Place, N.E., and is in an R-2 District.
2. The subject lot is approximately 5000 square feet in area and is improved with a single family, brick detached dwelling that is owned and occupied by the applicants.
3. A fifteen foot wide public alley adjoins the property at the rear.
4. An existing brick wall separates the applicants rear yard from the public alley.
5. The applicants seek permission to create an open parking space that is seven feet from their home. Sub-section 7105.2 of the Regulations requires that no portion of an open public lot shall be located within ten feet of a single family dwelling. The variance required is three feet.
6. Applicant's neighbor on the right side has off-street parking. The neighbor to the left has none.
7. Advisory Neighborhood Commission 7D filed no report on the application.
8. There was no opposition to the application.


CONCLUSIONS OF LAW:

The variance sought is an area variance, the granting of which requires a showing of practical difficulty stemming from the property. The Board is of the opinion that the inability to gain access from the alley because of the existing wall does create such a difficulty. The variance sought is just three feet and the application complies with all the other requirements of the Zoning Regulations. The Board concludes that the variance can be granted without substantial detriment to the public good and is in harmony with the intent of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh, Chloethiel Woodard Smith and Leonard L. McCants).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 13 DEC 1977

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.